OUTTEN & GOLDEN LLP Kathleen Peratis (KP 2118) Carmelyn P. Malalis (CM 3350) Ossai Miazad (OM 1127) 3 Park Avenue, 29<sup>th</sup> Floor New York, New York 10016 (212) 245-1000 Counsel for Plaintiff

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

CLAUDIA QUINBY,

04 Civ. 7406 (WHP) (HP)

Plaintiff,
– against –

PLAINTIFF'S ELECTION OF REMITTITUR

WESTLB AG,

Defendant.

Plaintiff, Claudia Quinby, by and through undersigned counsel, accepts the remittitur of compensatory and punitive damages awarded to her by the jury in accordance with the Court's April 15, 2008 Memorandum and Order as follows:

- 1. Remittitur of compensatory damages award to \$300,000;
- 2. Remittitur of punitive damages award to \$700,000.

Dated: August 21, 2008 New York, New York

Respectfully submitted,

By: Ossai Miazad (OM 1127) Kathleen Peratis (KP 2118) Carmelyn Malalis (CM 3350) 3 Park Avenue, 29th Floor New York, New York 10016

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Counsel for Plaintiff